

REMARKS

This application has been reviewed in light of the final Office Action dated May 6, 2010. Claims 29-32, 34-42 and 44-48 are pending in this application, with claims 29, 39 and 48 being independent. Claims 29, 39 and 48 have been amended to even further clarify the claimed subject matter. Favorable reconsideration and allowance are respectfully requested.

Claims 29-32, 34-37, 39-42 and 44-48 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,049,743 (*Baba*).

Claim 38 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Baba*, and further in view of U.S. Patent Application Publication No. 2002/0110786 (*Diller*).

Independent Claim 29, as amended, recites as follows:

29. A computer-aided design (CAD) system comprising:

a computer;

a display device that is directed by the computer to display an image of a dental restoration body, the dental restoration body including a plurality of distinct dentally specific indicia, each indicium being a single, selectable, unique type of dental feature, that is different from each other type of indicia;

an input device that enables a user to input a command to the computer to reference any of the plurality of distinct dentally specific indicia to select a portion of the image to be modified, the selected portion being defined by at least the distinct dentally specific indicia referenced by the command; and

at least one design tool that enables the user to modify the selected portion in any of a plurality of directions.

The Office Action has taken the position on page 5 that, in *Baba*,

“(e)ach of the plurality of distinct dental specific indicia A(n) includes a different cuspid apex, a different section of the marginal line, a different cuspid apex, etc.

It is suggested that the applicant add limitations to the claims to include how the plurality of distinct dentally specific indicia are different with respect to each other to overcome the prior art of record."

The Examiner is thanked for that indication. Based on that suggestion, the independent claims each have been amended to further clarify that each indicia is a single, unique type of dental feature, that is different from each other type of indicia. The Office Action points out above that, in *Baba*, on the other hand, each region A(n) of *Baba* includes more than a single type of feature, such as a cuspid apex, marginal line section, etc. Thus, more than a single type of such feature is included in a region A(n), and each single type of feature may be included in the region A(n) more than once.

It is respectfully submitted that nothing has been found, or pointed out, in *Baba*, that would teach or suggest a dental restoration body including a plurality of distinct dentally specific indicia, each indicium being a *single, selectable, unique type of dental feature, that is different from each other type of indicia*, as set forth in Claim 29.

Accordingly, Claim 29 is clearly patentable over *Baba*.

The other independent claims in this application each recite features similar to those of Claim 29 emphasized above, and also are believed to be clearly patentable over *Baba*.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.


The other claims in this application are each dependent from one or another of the independent Claims 29 and 39 discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional

aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All Correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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